Superfund/Oil Program Implementation Manual FY 02/03

Appendix E: Information Systems

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E.A   Information Systems

E.A.1 THE PURPOSE OF WasteLAN

WasteLAN is the official repository of nationally defined and nationally required data for planning, tracking, and describing all activities at sites and removal incidents.

The following categories of site/incident activity have national definitions and national requirements:

- Site Assessment

- Remedy Selection

- Federal Facilities

- Community Involvement

- Removal

- Enforcement

- Project Management

- Program Management

- Brownfields

a. Site Assessment

To support the site assessment process, WasteLAN provides the following capability:

- Enter, store, and retrieve basic site discovery information, including site identification (name and location), narrative description, contaminants, and site setting;

- Distinguish between removal program or site assessment program discoveries;

- Review and compare results of the Preliminary Assessment (PA), Site Inspection (SI), Expanded Site Inspection (ESI), and Site Inspection Prioritization (SIP), including overall Hazard Ranking System (HRS) site score and component pathway scores;

- Access to detailed information on each pathway score;

- Enter, store, and retrieve site assessment decision information, including qualifiers and text rationale and referrals to States or other program areas;

- Manage site assessment schedules through the Project Management module;

- Generate site assessment reports and perform ad hoc queries on basic site level and decision information, as well as site and pathway score information;

- Review contaminant information from the PA, SI, ESI, removal evaluation, or HRS;

- Access Superfund National Priorities List Assessment Program (SNAP) information in WasteLAN. Only the Site Assessment Manager and the Construction Completion Manager have the rights to change these data; and

- Create Headquarters (HQ) site assessment reports.

b. Remedy Selection

To support the remedy selection process, WasteLAN provides the following capability:

- Add and delete Actions and SubActions to the site schedule and add operable units (OUs);

- Add, edit, and review an Action and its associated operable unit, actual and planned start dates, and actual and planned completion dates;

- View and update site information, including media, contaminants, concentrations, and regulations that possibly apply to the contaminant;

- Record and review Record of Decision (ROD) risk assessment information for each medium and media area including the worst risk scenarios;

- Review ROD contaminants of concern data and relevant standards, a summary of the contaminant-specific risks for each medium area, and cleanup levels for the contaminants;

- Review ROD risk data exposure scenarios by time frame for each medium area; scenarios contain pertinent factors (i.e. land use, exposure time frame, location, receptor, exposure route) and reflect at least one scenario for each land use assessed;

- Review a summary of pertinent ecological risk assessment information from the ROD including potential receptors, sensitive habitats, and endangered/threatened species;

- View and update site descriptions which can be used to aid in the development of remedial documents, such as proposed plans and ROD;

- View cost and performance information on treatability studies, if available;

- View and compare data among pipeline actions for site and OU contaminants, contaminated medium, site and OU risk/threats, and selected remedy information;

- Identify program initiative sites, such as contaminated sediments or presumptive remedy sites;

- Perform queries to identify "like sites";

- Review selected or amended remedies at sites with RODs, ROD amendments, and Explanation of Significant Differences (ESDs) including remedial response actions associated with the selected remedy;

- Review ROD abstracts; and

•   Create HQ remedy reports.

c. Federal Facilities

To support Federal facilities, WasteLAN provides the following capability:

•   Track the proper relationship between Federal facilities, Federal facility sites, parcels and OUs;

•   Add, update, and delete Actions and SubActions and associated information;

•   View, edit, and track information pertaining to dispute resolutions such as the issue triggering dispute, compliance status, and dispute type (i.e., informal or formal);

•   Record, display, and view information pertaining to Interagency Agreement/Federal Facility Agreement (IAG/FFA) negotiations and agreements;

•   Record, display, and update information pertaining to Base Realignment and Closure (BRAC) sites, including BRAC types, Fast Track sites, Environmental Baseline Survey (EBS) information, detailed parcel information, Finding of Suitability to Lease (FOSL) information, and Finding of Suitability to Transfer (FOST) information;

•   Record key community involvement and outreach activities at Federal facilities;

•   Display listings of all IAG milestones to be reviewed within a user specified time frame;

•   Record and display a site abstract;

•   Record and display Federal Facility Docket information;

•   Provide the capability to track penalty and Supplemental Environmental Project (SEP) information;

•   Provide access to all modules in WasteLAN (e.g., Risk Assessment, Remedy Selection, etc.) to view all technical and administrative data pertaining to a site; and

•   Provide Headquarter Federal facility Reports.

d. Community Involvement

To support the community involvement process, WasteLAN provides the following capability:

•   View Community Involvement Schedule information;

•   Enter and access online directions to the site;

•   Enter and view listings and directions to potential locations in the area to hold public meetings;

•   Enter and view information on scheduled public meetings and directions to the meeting location;

•   Enter and view information on public meetings that were held related to a site;

- Access current site information from any user view;

- Enter and view a profile of demographic data for the community surrounding the site;

- Enter and view information about products such as fact sheets and community relations plans;

- Plan and report accomplishments and activities related to Community Involvement;

- Enter and view the address of site information repositories and identify which repositories contain Administrative Records; and

- Create HQ community involvement reports.

e. Removal

To support the removal process, WasteLAN provides the following capability:

- Add, update, and delete Actions and SubActions and associated information;

- Document On-Scene Coordinators (OSCs) assigned to the removal, EPA branch that is addressing the removal, site operable unit name, category of removal and outcome of the removal action, attorney assigned to the removal, planning status, removal media, contaminants data and risk, remedy implemented, and site funding rank;

- Track Action Memo types, support the Action Memo approval process, and capture response action scientific and location information;

- Develop removal fact sheets;

- Assist in the management of removal budgets for various contract vehicles and other EPA costs;

- Enter and store regional removal assessment detail description information including date assigned to OSC, where the site was referred from, referral date, response date, site visit date, media, flags for sampling performed, eligibility for removal, referred to remedial program office, and returned to State;

- Generate regional cost/financial management reports; and

- Create HQ removal reports.

f. Enforcement

To support the enforcement process, WasteLAN provides the following capability:

- Add, update, and delete Actions and SubActions and associated information;

- Capture and retrieve information about Potentially Responsible Parties (PRPs) and other parties and associate parties with all sites and enforcement actions with which they have been involved;

- Document a party's involvement with a site;

- Generate party-related summary statistics;

- Group parties for enforcement actions or correspondence mailings;

- Track party compliance with letters and settlement terms;

- Track liens against a party's property;

- Document the issuance of Comfort/Status letters, the parties they were sent to, and the intended future use of the property;

- Track the assessment of Prospective Purchaser Agreements (PPAs);

- Track negotiations, including type of response actions sought, cost recovery amount sought, orphan share compensation offered and outcome;

- Track Alternative Dispute Resolution (ADR) usage, identifying sites where ADR was used, the outcome of the ADR, and the mediator used;

- Track settlements, type and estimated value of response actions to be performed by the parties, cost recovery funds achieved, response actions that are being reimbursed, cash out funds achieved, amount of orphan share that was actually compensated, amount of funds to be disbursed from a special account or deposited into a special account as part of the settlement, and whether the settlement was with _de minimis_ or de micromis parties;

- Track the equitable issuance of cleanup orders by recording the parties that were issued a Unilateral Administrative Order (UAO) as well as those that were considered but not issued a UAO and the rationale for non-issuance;

- Log case files, including EPA Docket and DOJ case numbers and names and district court location docket number;

- Track referrals, including the type of referral, statutes, response actions sought, cost recovery amount sought, and outcome;

- Track potential Statute of Limitations (SOLs);

- View costs written off and the rationale behind a decision not to pursue cost recovery;

- Track the timely issuance of oversight bills or accounting of oversight costs incurred;

- Record the planned bills, actual bills, refunds/payments, and collections; and

- Create HQ enforcement reports.

g. Project Management

To support the site management process, WasteLAN provides the following capability:

- Maintain schedule for site activities;

- Add and delete Actions, SubActions, and new operable units to/from the schedule;

- View and edit action-specific information including operable unit, sequence number (system generated), lead, planned and actual start/complete dates, and planned start/complete Fiscal Year/Quarter (system generated);

- View the targeted Fiscal Year/Quarter for actions defined as regional targets;

- Define associations among actions and add user-defined actions to schedules;

- Reorder actions on the schedule and create what-if scenarios by "cascading" planned dates (automatically updating subsequent dates based on a schedule change);

- Add and view action-specific comments;

- Prepare Gantt charts, generate reports such as a Site Summary report, a Management Review report, and a Target Comparison report, and create/print weekly "notes" to keep managers apprised of "hot" issues;

- Access Smartscreens, which provide online SCAP definitions and apply SCAP logic during data entry and updates or edits;

- Enter or copy technical data through Smartscreens (e.g., remedy, media type). Data can be copied to subsequent actions to avoid duplicate data entry;

- View financial data by site, action, or financial transaction and track Superfund State Contracts (SSC) cost share payment and reimbursable account information;

- Generate 'like dates' for actions that, by definition, have the same actual start or actual complete date;

- Allow reviewers (e.g., Section Chiefs) to approve or disapprove schedule changes and financial transactions before they become official and notify Remedial Project Managers (RPMs) if any of their sites have been reviewed; and

- Generate HQ project management reports.

h. Program Management

To support the program management process, WasteLAN provides the following capability:

- View allowance and budget information for a comparison of regional spending plans to the negotiated budget for each allowance;

- Record and access all site and non-site financial details associated with an allowance;

- Track allowance change requests by viewing existing change request data used to issue/reprogram an allowance and generate a new change request online;

- View aggregate site planning data to support program planning and reporting measures and access data on a national (at HQ only), regional, branch, or section level, or by program office;

- Access project schedule details for sites included in the aggregated information on planning and reporting measures and identify target candidates;

- Track progress in meeting targets and planning estimates, view details on target and alternate sites that support these targets/estimates for each planning and reporting measure, and substitute target and alternate sites when necessary;

- Identify the funding priority for Remedial Actions (RAs) and removals based on factors such as the status of PRP negotiations, whether the Remedial Design (RD) has reached 95% complete, and estimated cost;

- Associate sites with a specific national and/or regional priority;

- Enter Environmental Indicator (EI) data at the site/action level, and view summary information for Indicators identified in Appendix B at the national (at HQ only) and regional levels;

- Transfer financial data to Integrated Financial Management System (IFMS) on a daily basis; and

- Generate HQ program management reports.

i. Brownfields

To support the tracking of Targeted Brownfields Assessment, Prospective Purchaser requests assessed, and comfort/status letters on a property specific basis, WasteLAN provides the following capabilities:

Tracking TBAs on a Property-Specific Basis

A Brownfield module was designed and incorporated into WasteLAN during FY 99. This module provides the regions with a centralized database for directly entering and tracking Targeted Brownfields Assessment (TBA) information on a property-specific basis. Currently, the WasteLAN Brownfields module allows regions to enter and track the following information about TBAs and the properties addressed by TBAs.

TBA Information - Information tracked includes the:

- Property at which the TBA is conducted;
- Specific parcel (if applicable) addressed by the TBA;
- Party responsible for conducting the TBA;
- Actual start and complete dates for the TBA;
- Phase of the TBA (e.g., Phase One Assessment/Equivalent, Phase Two Assessment/Equivalent, Establishment of Cleanup Options/Cost Estimates); and
- Outcome or result of the TBA (e.g., potential for contamination does or does not exist).

Property Information - Information tracked about Brownfields properties addressed by a TBA includes:

- Locational information such as address, city, county, state, zip code, Congressional district, latitude and longitude, and directions to the property;
- Property ownership, operational status, and property type; and
- Information about parcels that exist at the property; historical data describing the past use of a property; and basic descriptive comments about the property.

EPA has developed several guidance documents that provide directions for entering property-specific TBA information in WasteLAN. These documents are available on the data menus of EPA's Intranet Web site (http://intranet.epa.gov/swerbrnf/wl_bfmod.htm). In addition to information on TBAs and sites at which TBAs are performed, the module allows regions to enter and track information on Enforcement Interest sites, such as Prospective Purchaser requests assessed and comfort/status letters.

Entering Data on TBAs and Properties on a Non-Property Specific Basis in the Accomplishments Tracking Screens.

TBA information is tracked in WasteLAN on a non-property specific basis, using the system's Accomplishments Tracking screens. You must enter quarterly planning data prior to entering completed quarterly accomplishment information for "Targeted Brownfields Assessments" and "Number of Brownfields Properties Addressed by TBAs." Annual planning data should be entered in October of each fiscal year. It may be updated at any time.

Detailed data entry instructions for Non-Property information can be found in Quick Reference Guide entitled "Tracking Brownfields Assessments."   This document is available on EPA's Intranet at http://intranet.epa.gov/swerbrnf/pdf/bfa_qrg.pdf

Entering Data on TBAs and Properties on a Property Specific Basis in the Brownfields Module.

A Brownfields module was designed and incorporated into WasteLAN during fiscal year 1999. The WasteLAN Brownfields module provides the Regions with a centralized database for directly entering and tracking Targeted Brownfields Assessments (TBAs) information on a property-specific basis. Currently, the WasteLAN Brownfields module allows Regions to enter and track the following information about TBAs and the properties addressed by TBAs.

TBA Information - Information tracked includes the:
• Property at which the TBA is conducted;
• Specific parcel (if applicable) addressed by the TBA;
• Party responsible for conducting the TBA;
• Actual start and complete dates for the TBA;
• Phase of the TBA (e.g., Phase One Assessment/Equivalent, Phase2 Assessment/
Equivalent, Establishment of Cleanup Options/Cost Estimates); and
• Outcome or result of the TBA (e.g., potential for contamination does or does not exist).
Property Information - Information tracked about brownfields properties addressed by a TBA
includes:
• Locational information such as address, city, county, state, zip code, Congressional
district, latitude and longitude, and directions to the property;
• Property ownership, operational status, and property type; and
• Information about parcels that exist at the property; historical data describing the past
uses of a property; and basic descriptive comments about the property.
EPA has developed several guidance documents that provide directions for entering property- specific TBA information in WasteLAN.

These documents are available on EPA's Intranet Web site (http://intranet.epa.gov/swerbrnf/wl_bfmod.htm).

Reconciling TBA Data on a Property Specific and Non-Property Specific Basis

Each Region is expected to reconcile the Property Specific Numbers and Non-Property Specific Numbers using the SCAP-13 Brownfields Report. The report shows official accomplishments of Targeted Brownfields Assessments (TBAs) completed and the Number of Properties Addressed by TBAs in the columns on the left of the report from the Accomplishments Tracking module of WasteLAN, without property-specific detail. For comparison, the columns on the right of the SCAP-13 Brownfields Report shows the TBAs and Properties that have property-specific details from the Brownfields Module. These two sets of numbers should be closely comparable. The number of "Targeted Brownfields Assessments" in both modules should always be the same. Because Properties Addressed are only counted once, the properties will only match, if all historical TBA's are entered. Otherwise, a manual count of the Properties Addressed must be entered in the Accomplishment Screens, which counts the properties once in the first quarter and year that they are assessed.

Other Resources:

WasteLAN Brownfields Module Information EPA Intranet Page
http://intranet.epa.gov/swerbrnf/html-doc/wl_bfmod.htm

Entering Non-Site Planning Estimates and Accomplishments in WasteLAN Targeted Brownfields Assessments
and Brownfields Properties http://intranet.epa.gov/swerbrnf/pdf/wl_nonsite.pdf

Brownfields Module Overview
http://intranet.epa.gov/swerbrnf/pdf/bf_ovr.pdf

Quick Reference Guide: Entering a Targeted Brownfields Assessment (TBA)
http://intranet.epa.gov/swerbrnf/pdf/tba_prop.pdf

Quick Reference Guide: Entering a TBA for an Archived Site
http://intranet.epa.gov/swerbrnf/pdf/tba_arch.pdf

Editing the EPA ID
http://intranet.epa.gov/swerbrnf/pdf/bf_epaid.pdf

Data Entry Forms
http://intranet.epa.gov/swerbrnf/html-doc/wl_bfmod.htm

Brownfields Data Primer, April 27, 2000, pp III-18 - III-22)
http://intranet.epa.gov/swerbrnf/pdf/section3.pdf

E.A.2 SUPERFUND DATA ARCHITECTURE

The Superfund data architecture is comprised of various components that reside in the regions or at HQ. The goal of
this architecture is to allow regions, the data owners, to enter data locally while still ensuring a national database is
maintained for national reporting purposes.

Exhibit E-1 outlines the relationship among various components of the Superfund data architecture. Each region enters
their information into the regional WasteLAN system. Each night, data from the regional systems are sent via the
"snapshot" process to the Agency Information Management repository, which is the Superfund program's comprehensive
data repository. HQ owned or regionally shared data are "snapshot" back to the regions on a regular basis. The
following is the information that is updated as a result of this "reverse snapshot" process:
• Instantly: NPL Listing information
• Nightly: Construction Completion data
• Weekly: PRP data

Data that are snapshot nightly to the Agency Information Management is then divided into different, single purpose
datasets to meet specific needs of the program. These datasets include, but are not limited to:

• *CERCLIS*:   This dataset contains active sites and related program management information tracked through the
  SCAP process.

• *FOIA*:   This dataset contains active sites and related information that is releasable to the public.

• *Archive*:   This dataset contains archived sites and related information.

• *Brownfields:* This dataset contains properties where a TBA is being performed or where comfort/status letters are
  issued or prospective purchaser request is being or has been assessed.

- *Others, as needed*: Additional datasets can be created to meet additional program needs and special initiatives as they are defined. For example, a "Pre-Discovery" dataset could be created to track information on sites prior to beginning the listing process.

EXHIBIT E.1
SUPERFUND DATA ARCHITECTURE
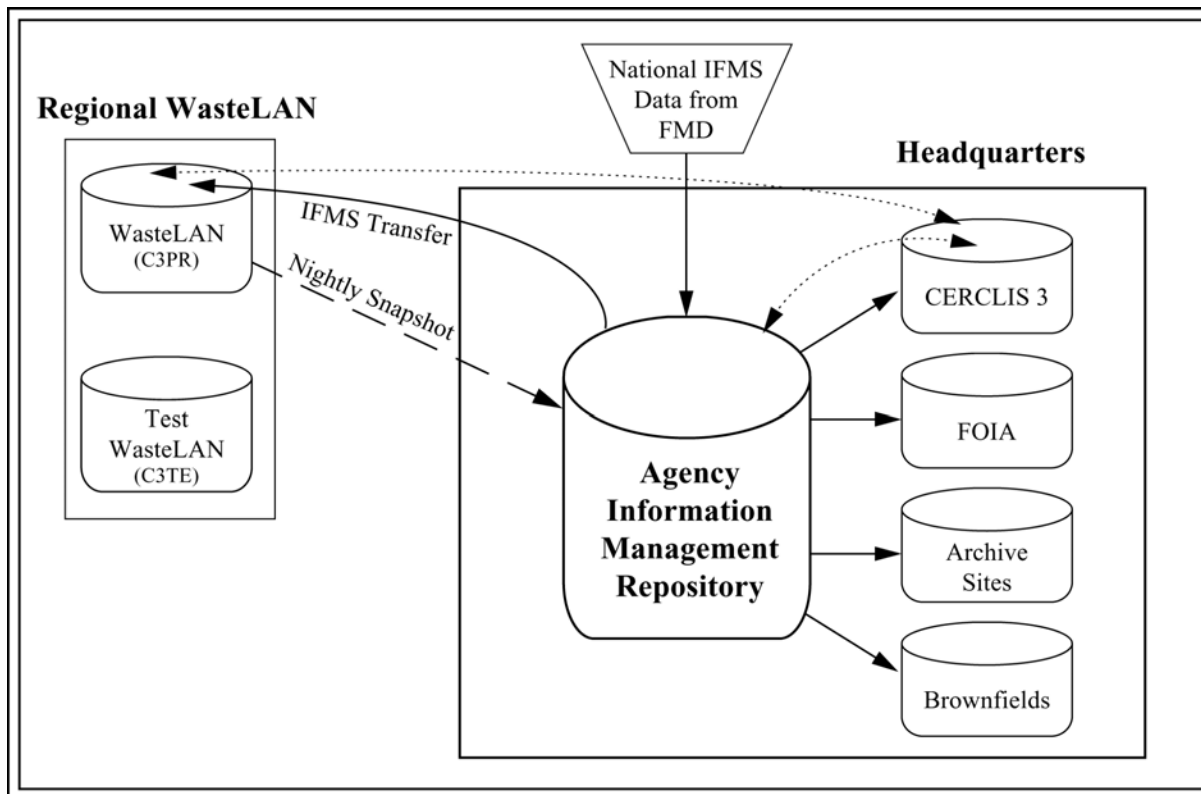
In addition, each day, financial data from the IFMS are transferred via Agency Information Management to the regional WasteLAN databases.

E.A.3   REPORTING SUPERFUND INFORMATION

The WasteLAN Reports Module is accessible to all users, and contains both nationally- and regionally-defined reports. The reports are categorized by the following program areas: Site Assessment, Risk Assessment, Remedy Selection, Federal Facilities, Community Involvement, Removal, Enforcement, Project Management, Program Management and Brownfields. HQ program managers and staff have access to the database and the ability to use the application to display data and print reports. In many cases the application can be used by program managers in lieu of contacting regional staff.

Reports in the Reports Module are being developed from a Select Logic Database (SLDB). The SLDB is a warehouse of select logic queries; because each query has been created using pieces of reusable code (RC), the select logic stored in the SLDB can be reused across multiple reports. The SLDB approach to developing reports has many benefits. By reusing select logic queries that have already undergone testing and validation, the SLDB approach promotes consistency and accuracy in program-wide reporting. In addition, because all select logic queries reside in one location, the effort required to maintain the Reports Library is significantly reduced.

The SLDB stores nationally- and regionally-defined queries. Queries that are nationally defined and used in national reports will be tested and validated by third-party testers. National queries will be sponsored by query owners at HQ. Query owners are responsible for updating queries in a timely manner when new system requirements are established to ensure that queries remain consistent with programmatic changes.

The regions can use national queries from the SLDB for regional reporting purposes. The regions also have the ability to develop and store regionally-defined queries in the SLDB. Regionally defined queries and reports are managed and maintained by the regions themselves.

If a particular report is similar in several regions, that report may be identified as a candidate for a national report. Also, if a regional query is identified for national implementation, the query will be validated, tested, and released as a national query. National queries and reports are managed by the HQ Reports Librarian.

The Reports Librarian role has been expanded to include the coordination and management of all national queries and reports. The Reports Librarian will continue to coordinate with query and report owners and developers, ensuring that reports and queries are developed consistently, in accordance with standards, and third-party tested. It is also the Reports Librarian's responsibility to see that all national queries and reports are unique (but reused when appropriate) and released to the user community on schedule.

The Reports Librarian is responsible for coordinating all steps of the reports development life cycle: requirements/design, specifications, coding, testing, maintenance, change management, standards development/adherence and documentation. This includes coordinating and facilitating bi-weekly Reports Status meetings with the reports team, maintaining the Lotus Notes Reports Status database, and communicating status with the reports community.

The Reports Librarian coordinates the addition of new national and/or HQ reports to the database. This process is framed by the forms available in the Reports Status Notes Database: the Reports Request form; Specifications, Code Delivery form; and the Sign-off form. The Reports Librarian ensures the Reports Request form is completed comprehensively and that the report being requested is not a duplication of an existing report. The Reports Librarian ensures that specifications are completed prior to a report being installed on the national menu, and assists in the coordination of hanging a report by ensuring that all the information on the Code Delivery form is completed by the reports developer. It is the Reports Librarian function to ensure that the process is documented by ensuring that the Sign-Off form is completed. All members of the reports community can contact the Reports Librarian for status information on any national and/or HQ report.

In addition to coordinating the addition of new reports, the Reports Librarian is responsible for monitoring changes to existing national and/or HQ reports and deleting obsolete reports from the menu. This means coordinating with the development team at large on behalf of the reports team. Attending Configuration Control Board meetings, reviewing change requests and monitoring regional comments in Lotus Notes, the suggestion box and e-mails are some of the methods used by the Reports Librarian to monitor changes. Usage reports and feedback from the regions and HQ are the methods used to determine obsolescence of a report.

WasteLAN Users

The WasteLAN application is for use by EPA staff with Superfund program responsibilities. WasteLAN may allow data owners to enter and manage their own data, however, regions will publish specific data management procedures that may implement a centralized or decentralized approach to data management. The information collected via the application is for unrestricted use by all parties except for that portion of the information identified as sensitive and not releasable under FOIA.

E.A.4 APPLICABILITY OF THE FREEDOM OF INFORMATION ACT

a. Reports Releasable under Freedom of Information Act (FOIA)

There is a set of system-generated reports that have sensitive information (records or information that are protected under FOIA and cannot be released to the public) removed and may be released under FOIA. These reports include:

- Section 106 and 107 litigation and/or Consent Decrees (CD) and all related information where the planning information indicates that the action has or will be referred to HQ or the Department of Justice. If the case is filed or lodged, the information may be released.
- SCAP 12 (Site Summary Report for Non-NPL Sites);
- List 8E (Site/Response Action Listing Report/External);
- List 8T (Site/Event Listing, Archived Sites);
- List 9 (Site Comprehensive Listing);
- Enforcement 10 (The Settlements Master Report Public Version); and
- Enforcement 25 (Administrative and Unilateral Orders Issued).

Note: The SCAP 11, SCAP 12, List 8T, and List 9 are currently available to the public on the Superfund Home Page.

In addition, the Records of Decision System (RODS) may be released under FOIA. It provides the justification for the remedial action (treatment) chosen under the Superfund program and stores information on the technologies being used to clean up sites.

b. Sensitive Information Not Releasable under FOIA

FOIA is intended as a disclosure law, not a withholding law. In handling all FOIA requests, there should be a presumption in favor of releasing information. There are certain types of information, particularly enforcement information, that have been designated as sensitive and, therefore, are not releasable to the public because disclosure could cause significant harm to the Agency. All planning data fit into this category including:

- Section 106 and 107 litigation and CD and all related information where the planning information indicates that the action has or will be referred to HQ or to the Department of Justice (DOJ). If the case is filed, the information may be released.

- PRP lead Remedial Investigation/Feasibility Study (RI/FS) projects and all related information where only planning data exist. If there is an actual PRP RI/FS start, the planned completion date (Fiscal Year/Quarter) can be released. However, no subsequent response dates are releasable.

- RD/RA - Administrative Order/CD and all related information where only planning data exist. This information is only releasable where an actual completion date exists.

- Planned obligation amounts related to regional enforcement extramural budget activity associated with the following activities:

  - Litigation (106, 106/107, 107) support;
  - Removal Negotiations;
  - Non-NPL and NPL PRP search;
  - RI/FS negotiations;
  - RD/RA negotiations; and
  - Cost recovery negotiations.

- RD and RA planned events where the lead is the RP with no actual starts. When there is an actual start, the planned completion can be released.

- RI/FS and RD/RA negotiations planned start and completion dates. When there is an actual start, the planned completion can be released.

- Planned removal/remedial obligations.

- All planned activities for sites that have not been designated as final or proposed NPL sites in the Federal Register.

The following enforcement data also cannot be released:

- Information pertaining to the financial viability of PRPs;

- PRPs excluded from a UAO and reasons why PRP was not issued a UAO;

- Comments;

- Parties not issued a General and/or Special Notice Letter or associated with an actual enforcement instrument;

- Party identification under Section 104(e); and

- Compliance data

This information is protected from mandatory disclosure by the following FOIA exemptions and provisions:

- EXEMPTION 7 - Records or information compiled for law enforcement purposes. Specifically, EXEMPTION 7 (a) - could reasonably be expected to interfere with enforcement proceedings.

    Exemption 7 - Records or Information Compiled For Law Enforcement Purposes
    This exemption provides that records or information compiled for law enforcement purposes need not be disclosed in six specific instances. Even though a document falls under Exemption 7, the Agency, in its discretion, encourages release of the document unless release would significantly harm the Agency. Under this section, records or information can be withheld from disclosure if:

    - Exemption 7 (a) - Disclosure could reasonably be expected to interfere with enforcement proceedings. Harm to the government's case in court by premature release of evidence or information or damage to the Agency's ability to conduct an investigation constitutes interference under the exemption.

    - Exemption 7 (b) - Disclosure would deprive a person of a right to fair trial.

    - Exemption 7 (c) - Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.

    - Exemption 7 (d) - Disclosure could reasonably be expected to disclose the identity of a confidential source. This includes protection of information provided by the source on a criminal law enforcement investigation.

    - Exemption 7 (e) - Disclosure would reveal a special technique or procedure for law enforcement investigations or prosecutions.

- Exemption 7 (f) - Disclosure could reasonably be expected to endanger the life or safety of any person.

  As a result of 1986 Amendments to FOIA Exemption 7, the general coverage of Exemption 7 is no longer investigatory records but records of information compiled for law enforcement purposes. As long as some law enforcement authority exists and the record meets the threshold test for exemption 7, the record need no longer reflect or result from specifically focused inquiries by the Agency.

- EXEMPTION 5 - Privileged Interagency or Intra-Agency Memoranda. Specifically, EXEMPTION 5, Privilege 1 - Deliberate Process Privilege, and EXEMPTION 5, Privilege 4 - Government Commercial Information Privilege.

  ### Exemption 5 - Privileged Interagency or Intra-Agency Memoranda
  Intra-agency records include reports prepared by outside consultants at the request of the agency. Recommendations from State officials to Environmental Protection Agency (EPA) may be considered intra-agency records when EPA has solicited State comments, has a formal relationship with the State, and the records concern a specific deliberative process.

This exemption allows the Agency to withhold from disclosure interagency or intra-agency memoranda or letters which fall under the following privileges:

- The Deliberative Process Privilege protects the quality of the Agency's decision-making process (i.e., to protect against premature disclosure of proposed policies before they are adopted), to encourage candid discussions among Agency officials, and to avoid premature disclosure which could mislead the public.

  Only pre-decisional, deliberative documents may be withheld. These are written prior to the Agency's final decision, and are not likely to be those that are written by a person with final decision-making authority. Drafts of documents usually fall under this category, and documents transmitted between the government and third parties during settlement negotiations are occasionally protected under this privilege.

  The deliberative process privilege does not allow the withholding of purely factual portions of documents. These portions must be released if they can be segregated from the remainder of the document (partial denial). This requirement presents a problem where the facts themselves reflect on the Agency's deliberative process; in this instance, the factual portions may be withheld.

- The Attorney-Work Product Privilege allows the withholding of documents prepared in anticipation of possible litigation. Litigation need not have commenced but it must be reasonably contemplated. This privilege does not extend to purely factual documents unless they reflect the results of an attorney's evaluation.

- The Attorney-Client Privilege applies to confidential communications between attorney and client, including communications between an Agency attorney and Agency employee.

- The Government Commercial Information Privilege is available to the government for information it generates in the process leading up to the award of a contract. This privilege expires once the contract is awarded or upon withdrawal of the contractual offer. An example of this privilege is cost estimates prepared by the government and used to evaluate the construction proposals of private contractors.

- The Expert Witness Privilege is commonly invoked to allow the withholding of records generated by an expert witness.

- The Confidential Witness Statement Privilege allows statements obtained from confidential witnesses to be withheld.

    The Agency encourages the discretionary release of documents falling under any of the privileges, unless release would significantly harm the Agency's decision-making process. All of the privileges may be waived if the Agency has disclosed the document to third parties.

The sensitive information listed above covers the information restricted from public disclosure as of the compilation of this Manual. Additional information may be added to this category and information may be restricted in specific instances (though the prior disclosure rule must be satisfied). If requested information is potentially able to be restricted under a FOIA provision (in this case, under Exemptions 5 or 7), the official receiving the request should contact the appropriate FOIA office to determine whether the information should be restricted.

c. Ad Hoc Reporting

In general, all regional requests for ad hoc reporting, a special request for records, or information that is not part of the approved public reports should be referred to the Office of Site Remediation and Enforcement (OSRE) Director immediately. The Regional official receiving the request should inform the requestor of this policy and advise the requestor to contact HQ for a decision on whether this information may be released. If the requested information is only available from a specific region, and HQ has decided to release this information, HQ will inform the responsible region that the information should be compiled and disclosed to the requestor.

Ad hoc reporting requests should be treated like FOIA requests. The following guidelines apply:

- If the information is protected under one of the FOIA exemptions, the information will not be disclosed (except in cases of discretionary release);

- Absent FOIA exemption protection, the information will be disclosed if it can be compiled or obtained in a reasonable amount of time by an Agency employee familiar with the subject area; and

- Fees for ad hoc reporting requests will be charged in accordance with the fee structure used for FOIA requests.

d. Accessing FOIA Information

There are several methods to access FOIA information.

- On the Internet, via the World Wide Web, several standard reports can be viewed or downloaded from the Superfund Information Systems area of the EPA Web site (http://www.epa.gov/superfund/sites/siteinfo.htm), through the "Order Superfund Products" link on the sidebar. Reports available for viewing or download include:

    - Inventory of CERCLIS and Archived Sites by State. This report, updated monthly, displays the number of sites by state/possession that are currently in CERCLIS; it also displays the number of sites by state/possession that have been archived or require no further remedial action.

    - CERCLIS and Archived Sites Database and Text Files with Record Layout. These database and text files, updated monthly, provide detailed information on sites that are currently in CERCLIS and sites that have been archived or require no further remedial action. The Record Layout identifies and provides the layout of the fields used.

    - National Priorities List (NPL) Site Map. The NPL Site Map, updated quarterly, displays the location (based on latitude and longitude coordinates) of sites across the nation that have been proposed, finalized, or deleted from the NPL.

- Several standard reports and products can also be ordered from the Superfund Information Systems area of the EPA Web site (www.epa.gov/superfund/sites/siteinfo.htm), through the "Order Superfund Products" link on the sidebar. Reports and products that can be ordered online include:

  - List 8T- Archive Listing. This report, updated monthly, lists all sites that were previously listed as contaminated or were suspected of being contaminated, but have subsequently been cleared of contamination or are no longer suspected of contamination. The report lists the sites/incidents, addresses, and Congressional districts, and the remedial, removal, and community involvement activities associated with each site/incident. This report was previously called the "Transition Site/Event Listing."

  - List 9- Site Comprehensive Listing. This report, updated monthly, lists all Superfund sites/incidents, addresses, and Congressional districts, and the remedial, removal, and community involvement activities associated with each site/incident.

  - SCAP 11- Site Summary Report for NPL Sites. This report, updated quarterly, provides detailed information on Superfund sites/incidents on the National Priorities List (NPL). Only the sites/incidents that have planned or actual remedial/removal activities are selected for inclusion on the report. The remedial/removal activities (planned or actual) as well as the enforcement activities (actual) related to each site/incident are listed.

  - SCAP 12- Site Summary Report for Non-NPL Sites. This report, updated quarterly, provides detailed information on Superfund sites/incidents that are not on the NPL. Only the sites/incidents that have planned or actual remedial/removal activities are selected for inclusion on the report. The remedial/removal activities (planned or actual) as well as the enforcement activities (actual) related to each site/incident are listed.

  - CERCLIS Reports CD. Produced quarterly, this CD includes the List 8T, List 9, SCAP 11, and SCAP 12 reports. The reports are produced in PDF format, utilize Adobe Acrobat, and are bookmarked, allowing users to follow a link directly to a desired report section (e.g., specific state, site) or search for and jump directly to any word or phrase in a report.

  - Superfund Public Information System (SPIS) CD. The SPIS CD contains the complete text of official Records of Decision (ROD), Explanations of Significant Differences (ESD), and ROD Amendments signed and issued by EPA. Users are able to access ROD documents by conducting searches across all of the ROD documents using Adobe's search capabilities and by accessing the master list by EPA Regions of all documents contained on the CD. This CD is released on a quarterly basis and includes a summary section detailing new information that has become available since the previous release.

  - NPL Fact Sheets CD. This CD contains a compilation of NPL Fact Sheets available from the ten EPA Regional Web sites, where the fact sheets are stored and updated. NPL Fact Sheets provide site history and descriptions, NPL listing history, threats and contaminants, cleanup approach, response action status, and environmental progress. Additionally, some fact sheets include information on community involvement and enforcement activities.

- The Superfund Order and Information Line (800-775-5037 or 202-260-8321) is an interactive phone/fax system that provides information from CERCLIS. By following voice prompts, the Superfund Order and Information Line allows users to request List 8T, List 9, SCAP 11, and SCAP 12 reports on CD-ROM.

- FOIA requests may also be submitted to an EPA Region or HQ office for any FOIA reports or information. FOIA report requests should include the name of the FOIA report being requested, or the site name, city, county, state, and/or ZIP code for which information is being requested.

E.A.5 DATA OWNERS/SPONSORSHIP

HQ managers are taking an active role in improving the quality of data stored in WasteLAN by acting as data sponsors. Data sponsors ensure that the data they need to monitor performance and compliance with program requirements is captured and stored properly in WasteLAN. To meet this goal, HQ data sponsors identify their data needs, develop data field definitions, distribute guidance requiring submittal of these data, and oversee the process of entering data into the system. In addition, sponsors support the development of the requirements for electronic data submission (EDS).

Data sponsorship promotes consistency and communication across the Superfund program. HQ data sponsors communicate and gain consensus from data owners on data collection and reporting processes. Periodically, data sponsors will verify the data entered and maintained by the regions through focused data studies.

HQ data sponsors assist data owners in maintaining and improving the quality of Superfund program data. These data are available for data evaluation and reporting. Data sponsorship helps promote consistency in both national and regional reporting. In addition, it provides a tool to improve data quality through program evaluation and adjustments in guidance to correct weaknesses detected.

E.B DATA SPONSORS

The following exhibit identifies the data sponsors for Appendix E, Information Systems.

EXHIBIT E.2
DATA SPONSORS

Data Sponsor	Subject Area	Phone #
John D. Harris	Beneficial Reuse/Beneficial Reuse Flag and Data/Superfund Redevelopment Initiative	(703) 603-9075
James Maas Juanita Standifer	Brownfields	(202) 260-8927 (202) 260-9192
Willie Griffin Alan Youkeles	Budget/Financial	(703) 603-8911 (703) 603-8784
Leslie Leahy Suzanne Wells	Community Involvement/Accomplishments and TAG Grants	(703) 603-9929 (703) 603-8863
Mike Northridge	Compliance Monitoring	(202) 564-4263
Rafael Gonzalez	Construction Completion	(703) 603-8892
Richard Jeng	Construction Completion/ Construction Completion Sites Flag	(703) 603-8749
Chad Littleton	Cost Recovery and Cost Recovery Action Tracking Data/Indirect Rate	(202) 654-6064
Steve Ells	Ecological Concerns/Ecological Data	(703) 603-8822
Ken Skahn	End-of-Pipeline	(703) 603-8801
Dela Ng Monica Gardner	Enforcement/Accomplishments and Cost Recovery	(202) 564-6073 (202) 564-6053
Melanie Hoff	Environmental Indicators/EI Data	(703) 603-8808
Joshua Barber Hortensia Coffee	Federal Facilities	(202) 260-8265 (202) 260-9926
Renee Wynn	Federal Facilities/Accomplishment	(202) 260-8366
Lance Elson	Federal Facility Enforcement	(202) 564-2577
Jim Konz Silvina Fonseca	Five Year Remedy Review Data	(703) 603-8841 (703) 603-8799
Margret Brown	FOIA	(703) 603-8876

Data Sponsor	Subject Area (Sub Areas)	Phone #
Emily Johnson	GPRA/GPRA Accomplishments	(703) 603-8764
Ken Lovelace Matt Charsky	Groundwater Sites/Groundwater Flag and Data	(703) 603-8787 (703) 603-8777
Mike Cullen	Information Systems/CERCLIS Data Structure	(703) 603-8728
Erin Conley	Information Systems/Reports/e-Facts	(703) 603-8928
Mike Bellot	Institutional Control Data	(703) 603-8905
Monica McEaddy Larry Zaragosa	Lead (Pb) Sites Data	(202) 260-2035 (703) 603-8867
Shahid Mahmud	Mining Sites Data	(703) 603-8789
David Lopez	Oil	(703) 603-8707
Eric Burman	OSWER GPRA Lead	(202) 566-1899
Janet Weiner	PARM	(703) 603-8717
John J Smith	Pipeline Integration/Accomplishment Cleanup Action /Accomplishments and Post ROD Data/Remedial Implementation	(703) 603-8802
Tracy Hopkins	Post Construction/End-of-Pipeline	(703) 603-8788
Ken Skahn	Presumptive Remedy Sites/ Presumptive Remedy Flag and Data	(703) 603-8801
Paul Nadeau	Program Management/Planning and Accomplishments Cost/Financial /Financial Data	(703) 603-8794
Scott Blair Bruce Pumphrey	PRP Data	(202) 564-6023 (202) 564-6076
Carol Bass Larry Zaragosa	Quality Assurance	(703) 924-0681 (703) 603-8867
Stuart Walker Kathryn Klawiter (ORIA)	Radioactive Sites/Radioactive Materials Flag	(703) 603-8748 (202) 564-9228
Nancy Ortowski	Real Property Acquisition/ARCS	(703) 603-8785
Matt Charsky Bruce Means Hans Waetjen	Remedy Selection/Accomplishments and Remedy Data	(703) 603-8777 (703) 603-8815 (703) 603-8906

Data Sponsor	Subject Area (Sub Areas)	Phone #
Dana Stalcup	Removal/Counter Terrorism	(703) 603-8735
Terry Eby Mark Mjoness Kevin Mould Ray Worley	Removal Implementation/Removal Accomplishment Data	(703) 603-8741 (703) 603-8727 (703) 603-8728 (703) 603-8724
Kevin Brittingham Jennifer Hemsley	Response Budget	(202) 564-4941 (703) 603-8921
Tiffany Disrud Steven Blankenship	Response Budget/Resource Management	(202) 564-1733 (202) 564-6905
David D Cooper	Risk Data	(703) 603-8763
Matthew Charsky	RODs/Remedy Selection	(703) 603-8777
Robert White	SCAP Reports	(703) 603-8873
Jennifer Griesert Randy Hippen	Site Assessment and Site Listing Status	(703) 603-8888 (703) 603-8829
Angelo Carasea	Site Assessment/SCAP-13	(703) 603-8828
Filomena Chau	Special Accounts	(202) 564-4224
Dan Dickson	Superfund Cost Recovery	(202) 564-6041
Hans Waetjen	Superfund Information System Liaison	(703) 603-8906
Kirby Biggs Bob Myers	Tribal Involvement	(703) 308-8506 (703) 603-8851

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